

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOSHUA E. COLLINS,
Petitioner,

vs.

WARDEN, RICHLAND
CORRECTIONAL INSTITUTION,
Respondent.

Case No. 1:17-cv-48

Dlott, J.
Bowman, M.J.

**REPORT AND
RECOMMENDATION**

On June 26, 2025, petitioner's mother filed a Notice of Suggestion of Petitioner's Death, informing the Court that petitioner has died. (Doc. 45).

A federal court does not have jurisdiction to consider a petition for a writ of habeas corpus following the death of the petitioner. *See, e.g., Rosa v. Rewerts*, No. 1:18-cv-940, 2020 WL 132374 (W.D. Mich. Jan. 13, 2020); *Griffey v. Lindsey*, 349 F.3d 1157 (9th Cir. 2003); *Hillman v. McCaughtry*, 14 F.3d 350, 350-51 (7th Cir. 1994) (per curiam); *Knapp v. Baker*, 509 F.2d 922 (5th Cir. 1975) (per curiam); *United States v. Fay*, 284 F.2d 301 (2d Cir. 1960); *Hann v. Hawk*, 205 F.2d 839 (8th Cir. 1953); *Hauptmann v. Wilentz*, 570 F. Supp. 351, 401 (D.N.J. 1983); *In re Kravitz*, 504 F. Supp. 43, 52 (M.D. Pa. 1980). The death of a petitioner renders the petition for habeas corpus moot. *See Rosa*, 2020 WL 132374, at *1. *See also In re Kravitz*, 504 F. Supp. at 45 ("Neither the stigma of [the petitioner's] conviction nor the pecuniary loss to [the petitioner's] estate invest the deceased habeas applicant's collateral challenge to the validity of [his] conviction with the 'live controversy' necessary to sustain this court's limited subject-matter jurisdiction.").

Because petitioner has died, his petition for writ of habeas corpus is now moot and must be dismissed.

It is therefore **RECOMMENDED** that petitioner Joshua E. Collins' petition for a writ of habeas corpus under 28 U.S.C. § 2254 be **DISMISSED** as moot.

July 1, 2025

s/Stephanie K. Bowman

STEPHANIE K. BOWMAN

United States Chief Magistrate Judge